UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES,
AND TOXIC SUBSTANCES

August 4, 2009

Mr. Steve L. Foss
Washington State Department of Agriculture
P.O. Box 42560
Olympia, WA 98504-2560

Subject: SLN label for Lorsban® Advanced
For control of various insects by aerial application on Christmas tree plantations
SLN Reg. No. WA-090012

Dear Mr. Foss:

This will acknowledge receipt of your notification dated April 9, 2009, and resubmission dated July 23, 2009, of the label indicated above, in the following SLN registration, pursuant to the Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended:

Product:	Lorsban® Advanced
EPA Reg. No.:	62719-591
24(c) Registrant:	Dow AgroSciences, LLC
Site:	Christmas tree plantations within Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom Counties, in the State of Washington
Pest:	Ants, aphids, adelgids, Douglas fir needle midge, European pine sawfly, European pin shoot moth, grasshoppers, gypsy moth, pale weevil (adult), pine needle midge, pine spittlebug, plant bugs, spittlebugs, spruce budworm, spruce needleminer, scale.

The following label comments apply:

- Please revise the SLN heading to read, "Control of listed insects by aerial application (helicopter only) on Christmas tree plantations."

A review of the resubmitted label indicates that it is acceptable under the condition that the above-stated label changes are made. Please inform the registrant that we have placed the label for this product in our files. If you have any questions regarding this letter, please contact Julie Chao at (703) 308-8735 or chao.julie@epa.gov.

Sincerely

for Venus Eagle
Insecticide Rodenticide Branch
Registration Division (7505P)

RESTRICTED USE PESTICIDE

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

Supplemental Labeling

Dow AgroSciences

Dow AgroSciences LLC | 9330 Zionsville Road | Indianapolis, IN 46268-1054 USA

Lorsban® Advanced

EPA Reg. No. 62719-591

EPA 24(c) Special Local Need Registration SLN WA-090012
For Distribution and Use Only Within Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Thurston, Wahkiakum and Whatcom Counties in the State of Washington

Control of Various Insects by Aerial Application on Christmas Trees Plantations

ATTENTION

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Read the label affixed to the container for Lorsban® Advanced insecticide before applying. Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA-registered label.
- Use of Lorsban Advanced according to this supplemental labeling is subject to all use precautions and limitations imposed by the label affixed to the container for Lorsban Advanced.

Directions for Use

Apply Lorsban Advanced in a spray volume of not less than 2 gallons per acre for aerial application equipment (helicopter). Thorough coverage of foliage is essential. Increase spray volume to ensure adequate coverage with increased density and height of crop canopy. Refer to the Spray Drift Precautions section and the recommendations for best management practices for aerial application on the label affixed to the container for Lorsban Advanced. Marking of swaths by flagging, permanent markers or use of GPS equipment is recommended.

Target Pests		Lorsban Advanced (quart/acre)
ants	pine needle midge	1
aphids	pine spittlebug	
adelgids	plant bugs	
(cooley)	spittlebugs	
(eastern spruce gall)	spruce budworm	
Douglas fir needle midge	spruce needleminer	
	scale (1)	
European pine sawfly	(black pine)	
European pine shoot moth	(pine needle)	
	(pine tortoise)	
grasshoppers	(spruce bud)	
gypsy moth	(striped pine)	
pales weevil (adult)		

Numbers in parentheses (-) refer to Pest-Specific Use Directions.

Pest-Specific Use Directions:

1. For **scale control** apply when scale crawlers are active.

Spray Drift Management

Do not allow spray to drift from the application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, non-target crops, aquatic and wetland sites, woodlands, pastures, rangelands, or animals.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather-related factors determine the potential for spray drift. The applicator is responsible for considering all of these factors when making the decision to apply this product.

Observe the following precautions when spraying Lorsban Advanced adjacent to permanent bodies of water such as rivers, natural ponds, lakes, streams, reservoirs, marshes, estuaries, and commercial fish ponds.

The following treatment setbacks or buffer zones must be utilized for applications around the above listed aquatic areas with the following application equipment:

Application Method	Required Setback (Buffer Zone) (feet)
aerial (helicopter)	300

Making applications when wind is blowing away from sensitive areas is the most effective way to reduce the potential for adverse effects.

The following spray drift **best management practices** are recommended to avoid off-target drift movement from applications.

Aerial Application

- *The boom width must not exceed 90% of the rotor blade.*
- Nozzles must always point backward, parallel with the air stream, and never be pointed downward more than 45 degrees.
- Nozzles must produce a medium or coarser droplet size (255 to 340 microns volume median diameter) per ASABE Standard 572 under application conditions. Airspeed, pressure, and nozzle angle can all effect droplet size. See manufacturer's catalog or USDA/NAAA Applicator's Guide for spray size quality ratings.
- Applications must not be made at a height greater than 10 feet above the top of the target plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.
- Use upwind swath displacement and apply only when wind speed is 3 to 10 mph as measured by an anemometer. Do not apply product when wind speed exceeds 10 mph.
- If application includes a no-spray zone, do not release spray at a height greater than 10 feet above the ground or crop canopy.

Where states have more stringent regulations, they must be observed.

The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory.

Aerial Drift Reduction Advisory

This section is advisory in nature and does not supercede the mandatory label requirements.

Information on Droplet Size: The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent adverse effects from drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

Controlling Droplet Size:

- **Volume** - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- **Pressure** - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types, lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- **Number of nozzles** - Use the minimum number of nozzles that provide uniform coverage.
- **Nozzle orientation** - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- **Nozzle type** - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length: For some use patterns, reducing the effective boom length to less than 3/4 of the rotor length may further reduce drift without reducing swath width.

Application Height: Applications should not be made at a height greater than 10 feet above the top of the target plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment: When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator should compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase with increasing drift potential (higher wind, smaller drops, etc.).

Wind: Drift potential is lowest between wind speeds of 2 to 10 mph. However, many factors, including droplet size and equipment type, determine drift potential at any given speed. Application should be avoided below 1.5 mph due to variable wind direction and high inversion potential. **Note:** Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity: When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions: Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas: The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).

Specific Use Precautions:

Phytotoxicity: Do not apply under conditions of extreme heat or drought stress. Environmental factors and varietal differences significantly influence potential phytotoxic expression. **Testing has shown that Lorsban Advanced may be used at specified rates on the following conifer species without serious phytotoxicity: balsam fir, concolor fir, Douglas fir, eastern white pine, Fraser fir, grand fir, noble fir, Scotch pine, white spruce**. Before treating large numbers of other conifer species, it is recommended that a small block of plants be treated and observed 7 to 10 days for symptoms of

phytotoxicity. **Note:** The user assumes responsibility for determining if it is safe to treat other conifer species with Lorsban Advanced under commercial growing conditions.

Specific Use Restrictions:

- **Restricted Entry Interval:** Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours unless PPE required for early entry is worn.
- Do not make more than three applications of Lorsban Advanced or other product containing chlorpyrifos per season.
- Do not make a second application of Lorsban Advanced or other product containing chlorpyrifos within seven days of the first application.
- Do not allow meat or dairy animals to graze in treated areas.
- **Chemigation:** For use under this SLN label, do not apply this product through any type of irrigation system.
- This pesticide is toxic to fish, aquatic invertebrates, small mammals and birds. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters or rinsate. Lorsban Advanced should not be used under this SLN label where impact on listed threatened or endangered species is likely. You may refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/NatResources/EndangSpecies.aspx, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or endangered. Consult the federal label for additional restrictions and precautions to protect aquatic organisms.

WSDA Container Disposal Guidance: Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at http://agr.wa.gov/PestFert/Pesticides/WastePesticide.aspx. Cleaned containers may also be disposed of in a sanitary landfill if permitted by the county. Burning is not a legal method of container disposal in Washington.

Certain uses of chlorpyrifos may be restricted by a U.S. District Court final order. You may refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/natresources/Buffers.aspx for information regarding pesticides that are impacted by the final order.

Expiration date: This label for Lorsban Advanced expires and must not be distributed or used in accordance with this SLN registration after December 31, 2011.

®Trademark of Dow AgroSciences LLC

R368-061
Approved: __/__/__
Replaces R368-039.

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STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE

PO Box 42560 • Olympia, Washington 98504-2560 • http://agr.wa.gov • (360) 902-1800

July 23, 2009

Document Processing Desk SLN
Office of Pesticide Programs - 7504 P
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: EPA SLN Reg. No. WA-090012

Enclosed is revised labeling for Washington Special Local Need (SLN) registration number WA-090012 issued to Dow AgroSciences LLC for the use of Lorsban Advanced Insecticide (EPA Reg. No. 62719-591) on Christmas tree plantations to control various insects using aerial application (helicopters only). This registration was issued under authority of Section 24(c) FIFRA.

Revisions to the SLN are as follows:

- The Restricted Use Product (RUP) statement and box was moved to the top of the label.
- Restricted use to certain counties in Washington State.
- Removed "Nursery" in the heading.
- Increased the buffer zone for application around the listed aquatic areas from 150 ft. to 300 ft.
- Deleted the use of "fixed-wing" aircraft in the table under Application Method. Aerial applications can only be conducted by helicopter.

If you have any questions, please contact this office at (360) 902-2049 or by e-mail at sfoss@agr.wa.gov.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Steve L. Foss
Biopesticide Specialist/Ecommerce Business Coordinator, Registration Services

SLF:jh
Enclosure

cc: Kerry Hastings, Dow AgroSciences
Brian Bret, Dow AgroSciences
Julie Chao, EPA
Doug Walsh, WSU
George Robinson, IDA
Tracey R. Wiley, Dow AgroSciences
Venus Eagle, EPA
Jane Thomas, WSU
Rose Kachadoorian, ODA

NEW APPLICATIONS

DATE: 04-15-2009

FILE NUMBER: WA090012

FEP (OPPIN ENTRY) BP 04-15-2009
(Initial and Date)

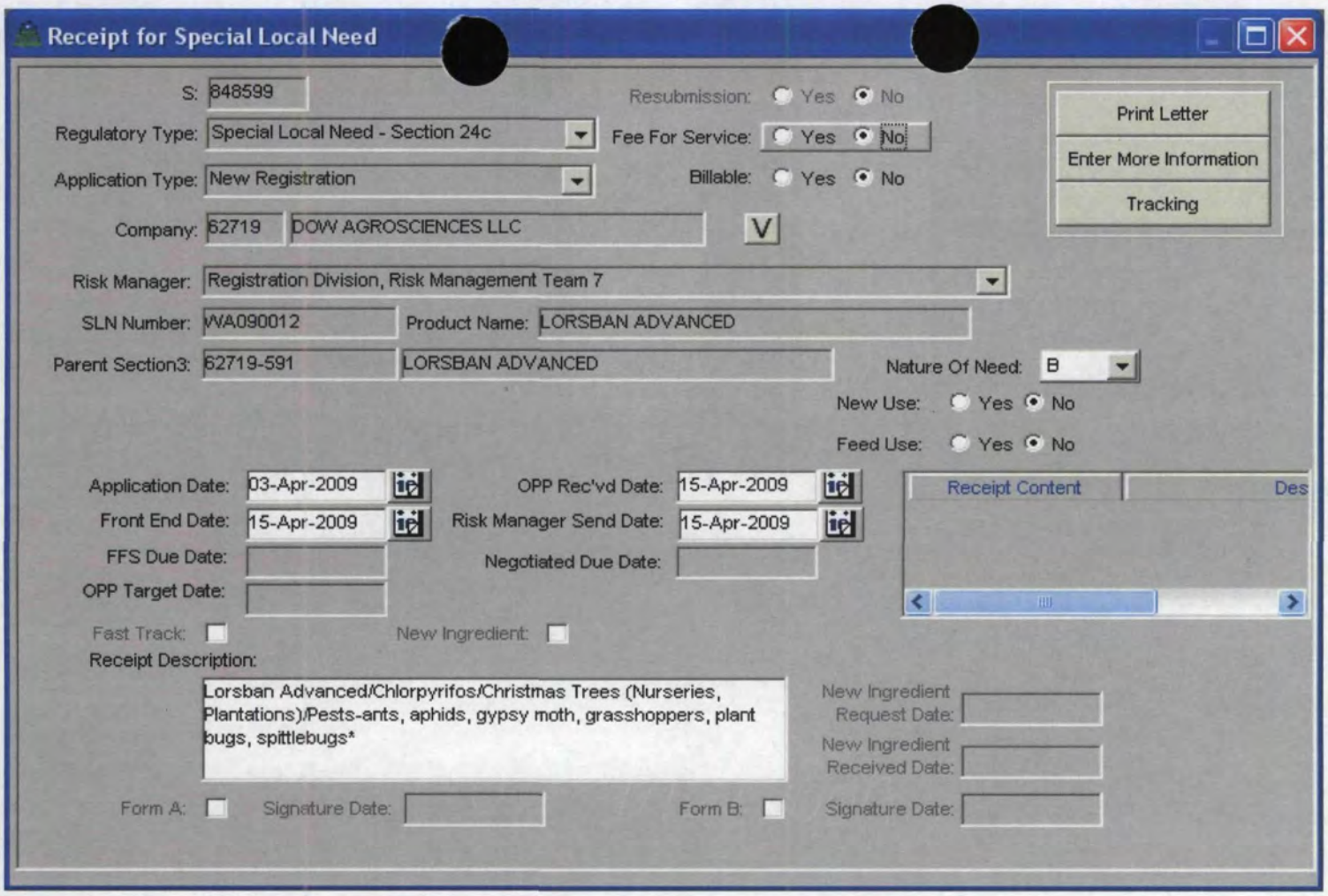
FILE ROOM: _____
(Initial and Date)

SIG: C.O 4/16/2009
(Initial and Date)

FILE ROOM: _____
(Initial and Date)

✓ ASSIGN TO PM 07 (NO DATA)

_____ JACKET TO SHELF (DATA)


Receipt for Special Local Need
S: 848599
Resubmission: Yes No
Regulatory Type: Special Local Need - Section 24c
Fee For Service: Yes No
Application Type: New Registration
Billable: Yes No
Company: 62719 DOW AGROSCIENCES LLC
Print Letter
Enter More Information
Tracking
Risk Manager: Registration Division, Risk Management Team 7
SLN Number: WA090012
Product Name: LORSBAN ADVANCED
Parent Section3: 62719-591 LORSBAN ADVANCED
Nature Of Need: B
New Use: Yes No
Feed Use: Yes No
Application Date: 03-Apr-2009
OPP Rec'vd Date: 15-Apr-2009
Front End Date: 15-Apr-2009
Risk Manager Send Date: 15-Apr-2009
FFS Due Date:
Negotiated Due Date:
OPP Target Date:
Receipt Content
Des
Fast Track:
New Ingredient:
Receipt Description:
Lorsban Advanced/Chlorpyrifos/Christmas Trees (Nurseries, Plantations)/Pests-ants, aphids, gypsy moth, grasshoppers, plant bugs, spittlebugs*
New Ingredient Request Date:
New Ingredient Received Date:
Form A:
Signature Date:
Form B:
Signature Date:

24 (C) CHECKLIST

STATE: WASHINGTON **SLN No.** WA090012

DATE REGISTERED: 04-03-2009 **90-DAY DATE:** 07-03-2009

SPECIFIC SPECIAL LOCAL NEED: _____ **SITE:** _____

PEST/PROBLEM: _____

1. Is the State certified to issue this type of registration? _____
2. Was the EPA Application/Notification Form submitted? _____
3. Was all the required information included on the form? _____
4. Was a confidential formula submitted (for new products)? _____
5. Is this registration for a "CHANGED USE PATTERN"? _____
6. Has an FR document been prepared for this "CHANGED USE PATTERN"? _____
7. Tolerances required? _____ Established? _____ Citation? _____
8. Full labeling being used? _____ Supplemental Directions? _____
9. Does label state "FOR DISTRUBITON AND USE ONLY WITHIN (State)? _____
10. Does full label comply with 40 CFR 162.10, as follows:
    a. Production name, brand or trademark? _____
    b. Name and address of registrant? _____
    c. Net contents? _____
    d. Product registration number? _____
    e. Producing establishment number? _____
    f. Ingredient statement? _____
    g. Precautionary labeling? _____
    h. Directions for use for special local need? _____
    i. Use classifications? _____

    Was proper format followed? _____
11. Is supplemental direction for use labeling satisfactory? _____
12. Was supplemental labeling compared with EPA-registered label? _____

COMMENTS: _____

_____

_____

1. SLN No. WA090012 2. PM 07 3. Action Code _____

4. State Issue Date

0	4	0	3	0	9

5. Date Received by EPA

0	4	1	5	0	9

6. Date Received by PM

7. Chemical Name _____

8. Chemical Code _____

9. Use _____

10. Reviews requested:

	Date Sent	Date Due	Date Returned	Response Code	Response Date
HED					
EFB					
RCB					
EEB					
TB					
RD					
S					
Precaution Labeling Chemistry					
Efficacy					

11. Status _____

_____

12. Final Action: Response Code _____

Response Date

Created February 9, 2009

Form Approved, OMB No. 2070-0055.

United States Environmental Protection Agency
Office of Pesticide Programs, Registration Division (7505C)
Washington, DC 20460

EPA

Application for/Notification of State Registration of a Pesticide To Meet a Special Local Need

(Pursuant to section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as Amended)

For State Use Only
Registration No. Assigned: WA-090012
Date Registration Issued: April 3, 2009

1. Name and Address of Applicant for Registration

Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268-1054

07

2. Product is (Check one)

- [X] EPA-Registered — EPA Registration Number: 62719-591
- [ ] New (not EPA-registered) — Attach EPA Form 8570-4, Confidential Statement of Formula for new products. — EPA Company Number: 62719

3. Active Ingredient(s) in Product

Chlorpyrifos

4. Product Name

Lorsban Advanced

5. If this is a food/feed use, a tolerance or other residue clearance is required. Cite appropriate regulations in 40 CFR Part 180, 185, and/or 186. NA

6. Type of Registration (Give details in Item 13 or on a separate page, properly identified and attached to this form):

- [ ] a. To permit use of a new product.
- [X] b. To amend EPA registrations for one or more of the following purposes:
  - [ ] (1) To permit use on additional crops or animals.
  - [ ] (2) To permit use at additional sites.
  - [ ] (3) To permit use against additional pests.
  - [X] (4) To permit use of additional application techniques or equipment.
  - [ ] (5) To permit use at different application rates.
  - [ ] (6) Other (specify below)

7. Nature of Special Local Need (check one)

- [ ] There is no pesticide product registered by EPA for such use.
- [X] There is no EPA-registered pesticide product which, under the conditions of use within the State, would be as safe and/or as efficacious for such use within the terms and conditions of EPA registration.
- [ ] An appropriate EPA-registered pesticide product is not available.

8. If this registration is an amendment to an EPA-registered product, is it for a "new use" as defined in 40 CFR 152.3 ?

- [ ] Yes (discuss in Item 13 below)
- [X] No

9. Has an EPA Registration or Experimental Use Permit for this chemical ever been (check applicable box(es), if known):

- [X] Sought
- [X] Issued
- [ ] Denied
- [ ] Cancelled
- [ ] Suspended
- [X] Registration
- [ ] Experimental Use Permit
- [ ] No Previous Permit Action

10. Has FIFRA section 24(c) registration for this use of the product ever, by another State, been (check appropriate box(es), if known):

- [ ] Sought
- [ ] Issued
- [ ] Denied
- [ ] Revoked

If any of the above are checked, list States in Item 13 below.

- [X] No FIFRA section 24(c) Action

11. Endangered Species Act: (Give details in Item 13 or on a separate page, properly identified and attached to this form)

Identify the counties where this pesticide will be used. If Statewide, indicate "all." Provide a list of Federally protected endangered/threatened species which occur in the areas of proposed use.

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

12. Indicate use status of Special Local Need, i.e., planned dates of use:

From: January 1st To: December 31st

Signature of Applicant or Authorized Representative

[signature]

Title: State Regulatory Manager

Telephone Number: 317-337-3149

Date: 12-08-08.

13. Comments (attach additional sheet, if needed)

6.(b)(4) Aerial application
10. Similiar SLN will be applied for in Oregon

Determination by State Agency

This registration is for a Special Local Need and is being issued in accordance with section 24(c) of FIFRA, as amended. To the best of my knowledge, the information above is correct, except as noted in "Comments" below or in attachments.

Name, Title, and Address of State Agency Official

Wendy Sue Wheeler
Agricultural Chemical Specialist
Washington State Department of Agriculture
P.O. Box 42560
Olympia, WA 98504-2560

Title: Agricultural Chemical Specialist

[signature]

Telephone Number: (360) 902-1972

Date: April 9, 2009

Comments (by State Agency Only)

Received by EPA

EPA Form 8570-25 (Rev. 1-94)

EPA COPY

Supplemental Labeling

Dow AgroSciences

Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268-1054 USA

RESTRICTED USE PESTICIDE

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

Lorsban® Advanced

EPA Reg. No. 62719-591

EPA 24(c) Special Local Need Registration SLN WA-090012
For Distribution and Use Only Within the State of Washington

Control of Various Insects by Aerial Application on Christmas Trees (Nurseries and Plantations)

ATTENTION

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Read the label affixed to the container for Lorsban® Advanced insecticide before applying. Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA-registered label.
- Use of Lorsban Advanced according to this supplemental labeling is subject to all use precautions and limitations imposed by the label affixed to the container for Lorsban Advanced.

Directions for Use

Apply Lorsban Advanced in a spray volume of not less than 2 gallons per acre for aerial application equipment (fixed wing or helicopter). Thorough coverage of foliage is essential. Increase spray volume to ensure adequate coverage with increased density and height of crop canopy. Refer to the Spray Drift Precautions section and the recommendations for best management practices for aerial application on the label affixed to the container for Lorsban Advanced. Marking of swaths by flagging, permanent markers or use of GPS equipment is recommended.

Target Pests		Lorsban Advanced (quart/acre)
ants	pine needle midge	1
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	scale (1)	
European pine sawfly	(black pine)	
European pine shoot moth	(pine needle)	
	(pine tortoise)	
grasshoppers	(spruce bud)	
gypsy moth	(striped pine)	
pales weevil (adult)		

Numbers in parentheses (-) refer to Pest-Specific Use Directions.

Pest-Specific Use Directions:
1. For **scale control** apply when scale crawlers are active.

Spray Drift Management
Do not allow spray to drift from the application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, non-target crops, aquatic and wetland sites, woodlands, pastures, rangelands, or animals.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather-related factors determine the potential for spray drift. The applicator is responsible for considering all of these factors when making the decision to apply this product.

Observe the following precautions when spraying Lorsban Advanced adjacent to permanent bodies of water such as rivers, natural ponds, lakes, streams, reservoirs, marshes, estuaries, and commercial fish ponds.

The following treatment setbacks or buffer zones must be utilized for applications around the above listed aquatic areas with the following application equipment:

Application Method	Required Setback (Buffer Zone) (feet)
aerial (fixed wing or helicopter)	150

Making applications when wind is blowing away from sensitive areas is the most effective way to reduce the potential for adverse effects.

The following spray drift **best management practices** are recommended to avoid off-target drift movement from applications.

Aerial Application
- The boom width must not exceed 75% of the wingspan or 90% of the rotor blade.
- Nozzles must always point backward, parallel with the air stream, and never be pointed downward more than 45 degrees.
- Nozzles must produce a medium or coarser droplet size (255 to 340 microns volume median diameter) per ASABE Standard 572 under application conditions. Airspeed, pressure, and nozzle angle can all effect droplet size. See manufacturer's catalog or USDA/NAAA Applicator's Guide for spray size quality ratings.
- Applications must not be made at a height greater than 10 feet above the top of the target plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.
- Use upwind swath displacement and apply only when wind speed is 3 to 10 mph as measured by an anemometer. Do not apply product when wind speed exceeds 10 mph.
- If application includes a no-spray zone, do not release spray at a height greater than 10 feet above the ground or crop canopy.
- Where states have more stringent regulations, they must be observed.
- The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory.

Aerial Drift Reduction Advisory
This section is advisory in nature and does not supercede the mandatory label requirements.

Information on Droplet Size: The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent adverse effects from drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

Controlling Droplet Size:

- **Volume** - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- **Pressure** - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types, lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- **Number of nozzles** - Use the minimum number of nozzles that provide uniform coverage.
- **Nozzle orientation** - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- **Nozzle type** - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length: For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height: Applications should not be made at a height greater than 10 feet above the top of the target plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment: When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator should compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase with increasing drift potential (higher wind, smaller drops, etc.).

Wind: Drift potential is lowest between wind speeds of 2 to 10 mph. However, many factors, including droplet size and equipment type, determine drift potential at any given speed. Application should be avoided below 1.5 mph due to variable wind direction and high inversion potential. **Note:** Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity: When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions: Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas: The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).

Specific Use Precautions:

Phytotoxicity: Do not apply under conditions of extreme heat or drought stress. Environmental factors and varietal differences significantly influence potential phytotoxic expression. **Testing has shown that Lorsban Advanced may be used at specified rates on the following conifer species without serious phytotoxicity: balsam fir, concolor fir, Douglas fir, eastern white pine, Fraser fir, grand fir, noble fir, Scotch pine, white spruce**. Before treating large numbers of other conifer species, it is recommended that a small block of plants be treated and observed 7 to 10 days for symptoms of

phytotoxicity. **Note:** The user assumes responsibility for determining if it is safe to treat other conifer species with Lorsban Advanced under commercial growing conditions.

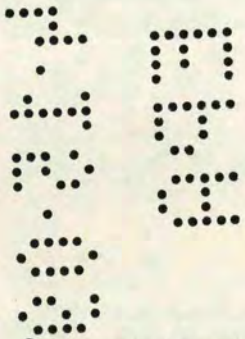
Specific Use Restrictions:

- **Restricted Entry Interval:** Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours unless PPE required for early entry is worn.
- Do not make more than three applications of Lorsban Advanced or other product containing chlorpyrifos per season.
- Do not make a second application of Lorsban Advanced or other product containing chlorpyrifos within seven days of the first application.
- Do not allow meat or dairy animals to graze in treated areas.
- **Chemigation:** For use under this SLN label, do not apply this product through any type of irrigation system.
- This pesticide is toxic to fish, aquatic invertebrates, small mammals and birds. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters or rinsate. Lorsban Advanced should not be used under this SLN label where impact on listed threatened or endangered species is likely. You may refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/NatResources/EndangSpecies.aspx, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or endangered. Consult the federal label for additional restrictions and precautions to protect aquatic organisms.

WSDA Container Disposal Guidance: Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at http://agr.wa.gov/PestFert/Pesticides/WastePesticide.aspx. Cleaned containers may also be disposed of in a sanitary landfill if permitted by the county. Burning is not a legal method of container disposal in Washington.

Certain uses of chlorpyrifos may be restricted by a U.S. District Court final order. You may refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/natresources/Buffers.aspx for information regarding pesticides that are impacted by the final order.

Expiration date: This label for Lorsban Advanced expires and must not be distributed or used in accordance with this SLN registration after December 31, 2011.



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Approved: 04/08/09
Initial printing.

STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

CERTIFIED

April 9, 2009

Document Processing Desk (SLN)
Office of Pesticide Programs 7504P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave NW
Washington DC 20460

RE: EPA SLN Reg. No. WA-090012

Enclosed is Washington Special Local Need (SLN) registration number WA-090012 issued to Dow AgroSciences LLC for the use of Lorsban® Advanced Insecticide (EPA Reg. No. 62719-591) on Christmas trees (nurseries and plantations) to control various insects by aerial application. This registration was issued under authority of Section 24(c) FIFRA.

This SLN registration is being issued as a replacement for Dow AgroSciences Lorsban® 4E Insecticide [EPA Reg. No. 62719-220 (WA-050012)]. Dow AgroSciences LLC is planning to cancel the SLN registration for Lorsban® 4E Insecticide (EPA Reg. No. 62719-220) on Christmas trees (nurseries and plantations) to control various insects by aerial application once all the stocks of the product have cleared the channels of trade.

Phytotoxicity, and residue data to support the use Lorsban® Advanced Insecticide on Christmas trees (nurseries and plantations) to control various insects by aerial application was submitted with the original submission of WA SLN No. WA-050012. Application timing, and use restrictions to protect non-target organisms on the label for WA-090012 are identical to WA-050012. The Washington State Department of Agriculture has limited the Section 24(c) label to two years due to the need for more efficacy data to support the use. Renewal of this Section 24(c) is contingent upon submittal of satisfactory data from the Pacific Northwest, preferably Washington State.

If you have any questions, please me at (360) 902-1972 or by email at wswheeler@agr.wa.gov.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Wendy Sue Wheeler

Wendy Sue Wheeler
Pesticide Registration Specialist, Registration Services

Enclosures – SLN Labeling
EPA federal SLN application form [EPA form 8570-25 (1-94)]

cc: Dr. Kerry Hastings, Dow AgroSciences LLC– via e-mail
Jane Thomas, Washington State University – via e-mail
Dr. Doug Walsh, Washington State University – via e-mail
Rose Kachadoorian, Oregon Department of Agriculture – via e-mail
George Robinson, Idaho Department of Agriculture – via e-mail
Marco Guske, Yakama Nation – via e-mail

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 15, 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Washington State Department of Agriculture
P.O. Box 42560
Olympia, WA 98504-2560

ATTN: Wendy Sue Wheeler, Specialist

Dear State Agency:

The Office of Pesticide Programs acknowledges receipt of the Section 24(c) application/notification for WA090012.

The package is being forwarded to the Product Manager for review.

To ensure that the Agency receives proper notification of your 24(c) applications/notifications it is necessary to use the correct mailing address. All new 24(c) applications should be sent to the following address:

Document Processing Desk (SLN)
Office of Pesticide Programs -7504P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

If you have any questions concerning the administrative screening of the package please contact the Front End Unit at (703)305-5780.

Sincerely,

Barbara Purnell

Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division